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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,681	10/31/2003	Kimon Berlin	200314176-1	3559
22879	7590	05/17/2007	EXAMINER	
HEWLETT PACKARD COMPANY			PORTKA, GARY J	
P O BOX 272400, 3404 E. HARMONY ROAD			ART UNIT	PAPER NUMBER
INTELLECTUAL PROPERTY ADMINISTRATION			2188	
FORT COLLINS, CO 80527-2400				
MAIL DATE		DELIVERY MODE		
05/17/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/698,681	BERLIN, KIMON	
	<b>Examiner</b>	<b>Art Unit</b>	
	Gary J. Portka	2188	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 26 February 2007.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 3,6,11-15 and 20 is/are allowed.
- 6) Claim(s) 1, 2, 4, 5, 7-10, and 16-19 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

1. Claims 7-20 have been added by Applicant. Claims 1-20 are pending.

### *Response to Arguments*

2. Applicant's arguments filed February 26, 2007 have been fully considered but they are largely not persuasive. Applicants have argued that Bogin does not teach reporting to the operating system the portion is reserved because it is the operating system that allocates the memory. Examiner disagrees that these might be mutually exclusive; if the memory as allocated has a reserved portion, then that portion is reported to the operating system as reserved by virtue of the operating system only allowing such reserved use of the portion when accessed.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 4, 5, 7-10, and 16-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Bogin et al (US Patent # 6,192,455), herein **Bogin**.

- a. As per Claims 1 & 4, **Bogin** discloses a method of configuring resources in an IA-32 computer and a machine-readable storage or transmission medium containing code that, when executed on a computer, causes the computer to perform said method [**Column 2, Lines 58-67**], the method comprising: establishing a remap window at the top of physical memory [**Figure 2c, #127 &**

**Column 4, Lines 29-45]**, the remap window corresponding to a PCI memory address range below 4 GB **[Column 3, Lines 3-30]**; and reporting to an operating system that a portion of the remap window is reserved, the reserved portion corresponding to an AGP aperture within the PCI memory address range **[Column 4, Lines 9-17 & Column 5, Lines 43-62]**.

- b. As per Claims 2 & 5, **Bogin** further discloses the method of claim 1 and the storage or transmission medium of Claim 4, respectively, further comprising: reporting to the operating system that the remainder of the remap window is usable memory **[Column 5, Lines 43-62]**. Examiner understands that **Bogin's** non-SMRAM memory areas are reported as usable while SMRAM memory areas are unusable and reserved, as taught in Column 1, Lines 15-28 & 53-58.
5. As to claims 7 and 16, reporting an inaccessible portion is disclosed since AGP addresses that remap to SMRAM space are redirected.
6. As to claims 8 and 17, reporting the window reserved during boot is disclosed since that is when the memory space is allocated.
7. As to claims 9 and 18, reclaiming a portion of the PCI range is disclosed since AGP accesses will be remapped to main memory space (except for SMRAM space).
8. As to claims 10 and 19, reporting space reserved includes that an owner is unassigned is inherent since the AGP space is not assigned to any owner.

***Allowable Subject Matter***

9. Claims 3, 6, 11-15, and 20 are allowed.

***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary J. Portka whose telephone number is (571) 272-4211. The examiner can normally be reached on M-F 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung Sough can be reached on (571) 272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2188

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gary J Portka  
Primary Examiner  
Art Unit 2188

May 14, 2007

**GARY PORTKA**  
**PRIMARY EXAMINER**

